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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,131	01/31/2001	Michel Marcel Jose Decre	PHNL000078	5393

24737 7590 06/16/2003

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

JOLLEY, KIRSTEN

ART UNIT	PAPER NUMBER
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1762

DATE MAILED: 06/16/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/773,131

Applicant(s)

DECRE, MICHEL MARCEL JOSE

Examiner

Kirsten Crockford Jolley

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☒ Applicant's reply has overcome the following rejection(s): 35 USC 112, 1<sup>st</sup> paragraph rejection.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-8.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
10. ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The proposed amendment will be entered upon Appeal, and the 35 USC 112, 1<sup>st</sup> paragraph rejection will be withdrawn upon entrance of the claim amendment.
2. Applicant's arguments have been considered but do not place the application in condition for allowance.

Applicant argues that the system in Gibson is completely different from the present invention because: the primary reason for spinning the chuck is for cleaning, not for preventing formation of a bead at the outer edge of the disc; the instant invention dispenses liquid from a nozzle and spin the substrate, instead of spraying which is used in Gibson; and finally, by providing a uniform coating thickness by spraying instead of by spinning. The Examiner notes that the reason for spinning the chuck and the means used to dispense the coating material are not claimed in claim 1.

Applicant also argues that Gibson does not teach that the extension body has substantial circumferential contact with the periphery of the substrate and a surface substantially flush with the first surface of the substrate because Gibson describes a gap 830 between the periphery of the substrate and chuck 510 that leaves the peripheral edge of the substrate exposed. The Examiner disagrees. There is not a peripheral edge gap left open by gap 830. Figure 8 of Gibson illustrates that gap 830 is located beneath the substrate 110, between the spin chuck 610 and extension body/chuck 510, not between the periphery of the substrate 110 and extension body/chuck 510. This is further clarified in col. 11, lines 26-30, where Gibson et al. states "Here, cavity 830 is provided *beneath* the edge of substrate 110 in order to provide a positive

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pressure therein [emphasis added]". It is the Examiner's position that Figures 6 and 8 illustrate that the process of Gibson et al. meets Applicant's limitation of "*substantially* circumferential contact [emphasis added]". In addition, it is noted that Figures 6-8 illustrate that the extension body is substantially flush with the first surface of substrate 110.

Applicant argues that while some evaporation may occur, resist cannot become solidified prior to patterning it, therefore the Examiner's assertion that at least some solidification occurs is traversed. The Examiner disagrees. A photoresist coating solution comprises solid particles dissolved in a solvent. When some of the solvent evaporates, the coating solidifies. Applicant's claim does not require that the coating entirely solidifies, rather that *partial* solidification occurs. This reads on the coating solidifying even in the slightest amount. The Examiner maintains her position that through evaporation, even the smallest amount of solidification would occur during evaporation of the solvent. It is a well known phenomenon in the spin coating art that evaporation of solvent in a photoresist coating solution inherently occurs as, and immediately after, the coating is applied. It is noted that Applicant's claim do not require solidification by exposure to UV light and patterning.

As to the rejections of claims 3-6, the Examiner notes the arguments supplied in the prior Office action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten Crockford Jolley whose telephone number is 703-306-5461. The examiner can normally be reached on Monday to Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on 703-308-2333. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1193.

kej

June 12, 2003



SHRIVE P. BECK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700